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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,108	01/11/2005	Giuseppe Longobardi	FR920020011US1	7105
25299	7590	11/13/2007		
IBM CORPORATION PO BOX 12195 DEPT YXSA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			EXAMINER CARTER III, ROBERT E	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 11/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,108

Applicant(s)

LONGOBARDI ET AL.

Examiner

Robert E. Carter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/06/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The amendment filed on 09/06/2007 has been entered and considered by examiner.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Adriaansen et al. (US Patent # 6,700,773).

As for claim 11, Adriaansen et al. (Figs. 44 - 48) discloses:

A data processing system comprising:

a central processing unit (290);

a main display (317);

a peripheral device (288) operably engaged with the central processing unit and the main display, the peripheral device comprising a mechanical keyboard (313) having a plurality of keys (while Adriaansen does not explicitly state how many keys are on the

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keyboard 313, it is clear from the drawing that it has a plurality of keys) for entering information into the data processing system when the keys are pressed, characterized in that the peripheral device has a first surface (313) and a second surface (311) opposed to the first surface, the first surface carrying the mechanical keyboard and the second surface carrying a configurable unit (311) for displaying a visual representation of a plurality of further keys (Col. 8, lines 12-16, 31-36) for entering information into the data processing system when the further keys are selected, the configurable unit being separate from the main display, wherein the mechanical keyboard is accessible to a user of the data processing system when the peripheral device is in a first operative position (Fig. 44) with the first surface turned upwards and the configurable unit is accessible to the user when the peripheral device is in a second operative position (Fig. 47) with the second surface turned upwards;

a central unit operably engaged between the main display and the peripheral device, the central unit comprising a pivot device (288a) for pivoting the peripheral device around the central unit and for sliding an internal edge of the peripheral device along the central unit between a first end of stroke (305 in first operative position) and a second end of stroke (305 in second operative position), the peripheral device being folded down the central unit in the first operative position or in the second operative position when the internal edge is at the first end of stroke or at the second end of stroke, respectively; and

a latching device (287) operably engaged between the central unit and the peripheral device (297a, 299) for securing the peripheral device in at least one of the first operative

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position and the second operative position, the latching device being further configured for moving at least one of the first surface and the second surface of the peripheral device away from the central unit in response to a user input such that a user may grasp at least one external edge of the peripheral device and pivot the peripheral device to at least one of the first operative position and the second operative position (309a, 309, Col. 22, lines 46-55, springs 309a push on plungers 309 which moves the first and second surfaces of the peripheral device away from the central unit when the user unlatches the peripheral device).

As for claim 12, Adriaansen et al. teaches:

wherein the configurable unit comprises a touch-screen (Col. 1, lines 25-27, Col. 18, lines 19-21), the further keys being selected when touched.

As for claim 13, Adriaansen et al. teaches:

wherein the central unit further comprises a spacer (288) for spacing the keys apart from a surface (290a) of the central unit configured for bearing the peripheral device in the second operative position (while not explicitly stated or indicated, the fact that the keyboard 313 is recessed below the surface of the panel 288 can clearly be seen in Fig. 44. This would mean the panel 288 serves as a spacer to space the keys apart from the surface 290a of the central unit when the peripheral device is in the second operative position).

As for claim 14, Adriaansen et al. teaches:

further comprising a switch device (307, 297a, 297b) operably engaged between the central processing unit and the peripheral device, the switch device being configured for

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alternatively enabling the mechanical keyboard or the configurable unit (Col. 21, lines 28-31).

As for claim 15, Adriaansen et al. teaches:

wherein the switch device comprises a sensor (307) for detecting a position of the peripheral device such that the central processing unit enables the mechanical keyboard when the sensor detects that the position of the peripheral device is the first operative position and such that the central processing unit enables the configurable unit when the sensor detects that the position of the peripheral device is the second operative position (Col. 21, lines 28-31).

Response to Arguments

3. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection. In view of the amendment, Figs. 44-48 of Andriaansen have been used for a new ground of rejection.

4. Applicant's arguments filed on 09/06/2007 have been fully considered but they are not persuasive. Adriaansen et al. teaches a latching mechanism which anticipates the limitations of claims 11-15.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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Jung (US Patent 6,108,196) discloses a latch with an ejecting unit for a laptop computer.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert E. Carter whose telephone number is 571-270-3006. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on 571-272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

REC


CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER